

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

KRAFT FOODS GLOBAL, INC., THE	)	
KELLOGG COMPANY, GENERAL	)	
MILLS, INC., and NESTLÉ USA,	)	
INC.,	)	
	)	No. 1:11-cv-08808
Plaintiffs,	)	
	)	Judge Steven C. Seeger
v.	)	
	)	
UNITED EGG PRODUCERS, INC.,	)	
UNITED STATES EGG	)	
MARKETERS, INC., CAL-MAINE	)	
FOODS, INC., MICHAEL FOODS	)	
INC., and ROSE ACRE FARMS, INC.	)	
	)	
Defendants.	)	

**DEFENDANTS' MOTION FOR LEAVE TO FILE UNDER SEAL EXHIBIT A  
TO DEFENDANTS' REPLY IN SUPPORT OF THEIR MOTION FOR  
BIFURCATION OF TRIAL**

Defendants United Egg Producers, Inc., United States Egg Marketers, Inc., Cal-Maine Foods, Inc., and Rose Acre Farms, Inc., hereby file this Motion for Leave to File Under Seal Exhibit A to Defendants' Reply in Support of their Motion for Bifurcation of Trial ("Motion for Leave") and state the following:

1. Defendants filed a Reply in Support of their Motion for Bifurcation of Trial, ECF No. 238 (the "Reply"), shortly before the filing of this Motion for Leave.
2. Exhibit A to the Reply, ECF No. 238-1 ("Exhibit A") contains information that has been designated "Highly Confidential – Subject to Protective Order" by parties to this lawsuit pursuant to the Protective Order entered in the

multidistrict litigation, *In re Processed Egg Prod. Antitrust Litig.*, No. 08-MD-2002, Case Management Order No. 10 (Protective Order) at 3, ECF No. 50 (Feb. 12, 2009).

3. This confidentiality designation means that Exhibit A contains information that constitutes confidential commercial information, personal information not generally disclosed to the public, competitively sensitive materials, and trade secrets.

4. Following the filing of Exhibit A, Defendants contacted the Clerk of the Court to ensure that Exhibit A was provisionally placed under seal.

5. Simultaneous with or following the filing of this Motion for Leave, Defendants will file a public version of Exhibit A.

6. Accordingly, Defendants request leave to file Exhibit A under seal.

### **Conclusion**

Defendants respectfully request that this Court grant their Motion for Leave and grant them all such other and further relief this Court deems appropriate.

Dated: December 4, 2022

Respectfully submitted,

/s/ Patrick M. Otlewski

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 4, 2022, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants registered to receive service in this action.

/s/ *Patrick M. Otlewski*

Patrick M. Otlewski